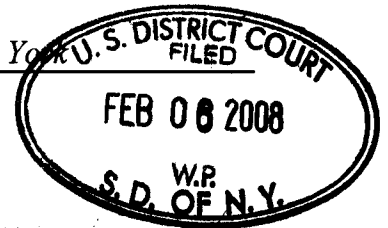




U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007



January 24, 2008

BY HAND

Honorable Charles L. Briant
United States District Judge
United States Courthouse
300 Quarropas Street
White Plains, NY 10601

MEMO EXHIBIT 322
Application granted. Conference now scheduled for

February 14, 2008
Time is excluded under the Speedy Trial Act through

February 14, 2008

SO ORDERED Charles L. Briant U.S.D.J.

Dated: 2-4-08

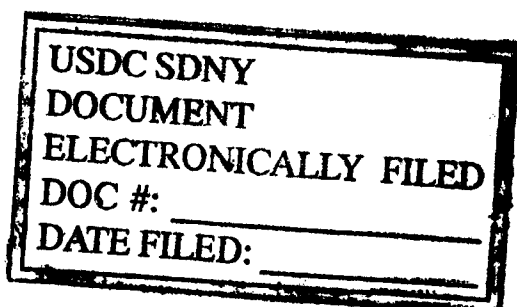
Re: United States v. Elia and Elyaho,
07 Cr. 543 (CLB)

Dear Judge Briant:

This is to request a one week extension of time to respond to the defendants' motions in the above case. Counsel for both defendants have consented to this request.

Under the current schedule, the Government's response is due today, reply briefs are due on January 31, 2008 and the motions are scheduled to be heard on February 5, 2008. Accordingly, we respectfully request that the schedule be amended to require the Government's response by January 31, 2008, reply briefs by February 7, 2008 and that the motions be heard at a date convenient to the Court, after February 7, 2008.

As the Court is aware, although motions are pending, the defendants' attorneys are still reviewing, accumulating and analyzing documents which were produced in discovery and from other sources and the Government is actively working on compiling an exhibit list. Accordingly, the parties respectfully request



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that time be excluded in the interests of justice until the new hearing date, as motions are not fully submitted and because the defendants' attorneys are actively analyzing discovery materials.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

by: 
Cynthia K. Dunne
Assistant United States Attorney
(914) 993-1913

cc: Jared Scharf, Esq. (By Fax)
Joseph C. Vita, Esq. (By Fax)